

KEVIN V. RYAN (CSBN 118321)
United States Attorney

MARK L. KROTOSKI (CSBN 138549)
Chief, Criminal Division

PETER B. AXELROD (CSBN 190843)
LAUREL BEELER (CSBN 187656)
Assistant United States Attorneys

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-6774
Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 05-0395 CRB
Plaintiff,) STIPULATION AND [PROPOSED]
v.) ORDER EXCLUDING TIME FROM JUNE
EUGENE YI,) 7, 2006 TO SEPTEMBER 11, 2006
Defendant.) UNDER THE SPEEDY TRIAL ACT

The parties hereby stipulate as follows:

1. On June 7, 2006, the parties appeared before the Court, and the Court set a September 11, 2006 trial date for this matter.

2. The parties agree that the time between June 7, 2006 and September 11, 2006 should be excluded from the Speedy Trial clock. Previously, the Court declared this case complex. See 18 U.S.C. § 3161(h)(8)(B)(ii). Further, defense counsel is continuing to review the discovery in this case, which exceeds 50,000 pages, and includes numerous Korean language documents and call transcripts. Additionally, the government expects to provide numerous additional boxes of discovery, which defense counsel will need to review to prepare for trial.

Thus, the parties agree that a continuance is necessary for the effective preparation of defense.

ORDER
CR 05-0395 CRB

1 counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).
2 The parties also agree that the ends of justice served by excluding the period from June 7, 2006
3 to September 11, 2006 outweigh the interest of the public and the defendant in a Speedy Trial.
4 See id. § 3161(h)(8)(A).

5 STIPULATED:

6
7 June 21, 2006 /S/ PETER B. AXELROD
DATE PETER B. AXELROD
8 LAUREL BEELER
9 Assistant United States Attorneys

10 June 20, 2006 /S/ MICHAEL HINCKLEY
DATE MICHAEL HINCKLEY
11 Attorney for Eugene Yi

12 **ORDER**

13 For good cause shown, with the agreement of the parties, and for the reasons stated above,
14 the Court orders time excluded under the Speedy Trial Act, 18 U.S.C. § 3161, from June 7, 2006,
15 to September 11, 2006. The Court finds that the failure to grant the requested exclusion would
16 deny defense counsel reasonable time necessary for effective preparation taking into account the
17 exercise of due diligence. Further, the Court finds the exclusion warranted on complexity
18 grounds, under 18 U.S.C. § 3161(h)(8)(B)(ii). Thus, the Court finds that the ends of justice
19 served by granting the requested exclusion outweigh the best interest of the public and the
20 defendant in a speedy trial and in the prompt disposition of criminal cases. The Court therefore
21 concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(8)(A),
22 (h)(8)(B)(ii) and (h)(8)(B)(iv).

23 IT IS SO ORDERED.

24
25 DATED: June 21, 2006

